

Transfers

6.000 Application for Transfer (VC §§5902, 9255, and 9553)

A transferee has 10 days from the receipt of a properly endorsed title to submit the title and transfer fee to the department and thereby make application for a transfer of registration. A transfer penalty is due if the transfer fee is not paid within 30 days of the transfer date.

California dealers and lessor-retailers have 30 days from the date of sale on the Report of Sale–Used Vehicle (REG 51) to submit the transfer application and required fees without penalty and/or Administrative Service Fees (ASF). This includes nonresident vehicles and vehicles on which the registration expires while in the dealer inventory. It **does not** include vehicles taken into dealer inventory with expired registration.

6.005 California Certificate of Title

Always verify the vehicle identification number (VIN) shown on the title with the vehicle's VIN to ensure the two numbers are the same. There are several versions of the California title in existence, as follows:

- The complying pink with a blue border and a white opaque state seal Certificate of Title (REV. 10/02).
- The complying “rainbow” (multi-colored) Certificate of Title.
- The non-complying “rainbow” Certificate of Title.
- The Certificate of Ownership (aka “pink slip”).

Complying or non-complying refers to the odometer disclosure statement contained on the title. Refer to Chapter 23 for information.

NOTE: A properly endorsed Application for Duplicate Title (REG 227) may be used to transfer ownership when the California title is lost, stolen, mutilated, or illegible. A mutilated or illegible title **must** be submitted with the application. Refer to Section 6.035.

6.010 Errors on the Certificate of Title

A Statement of Error or Erasure (REG 101) completed by the person who made the error is required for any error, erasure, line out, or white out on the Certificate of Title **other than** odometer mileage disclosure or acknowledgement errors. Corrections to the odometer disclosure/acknowledgement are **not** allowed. Refer to Section 23.075 for odometer disclosure errors.

- Dealers and financial institutions may certify to errors that they make in signatures, including their own, on the Certificate of Title.
- If a printed name has been lined out, the person who made the entry must complete the REG 101.

NOTE: An error statement **is not** necessary if the current registered owner or new purchaser signs or prints his/her name on the dealer line.

6.015 Basic Transfer Requirements Checklist

The transfer application **must** include, but is not limited to:

- The properly endorsed California Certificate of Title.

Front of Title

Line 1—Must be properly endorsed for transfer by the registered owner of record.

<i>If the vehicle is registered to...</i>	<i>then...</i>
co-owners joined by “and” (a slash “/”)	each owner must sign on or above Line 1.
co-owners joined by “or” or by “and/or”	one owner’s signature is acceptable.
co-owners with a “JTRS” designation	each owner must sign on or above Line 1.
a leasing company (lessor/lessee)	the lessor’s release is required. A company name must be countersigned. NOTE: The lessee is not an owner and cannot release ownership.
a business entity	the business name and the countersignature of an authorized representative are required.
an individual doing business as (DBA)	the individual must sign.

NOTE: A bill of sale **is** acceptable in lieu of the owner’s signature(s) on Line 1.

A Name Statement (REG 256) **is required** if a signature appears contrary to the printed name. For example, if David Robert Jones signs *Bobby Jones*.

Date of Release—This is the date the buyer took physical possession of the vehicle from the registered owner of record.

Line 2—Must be endorsed by the legal owner/lienholder of record, if any. A company/business release **must** be countersigned/initialed by an authorized representative of the company/business.

6.015 Basic Transfer Requirements Checklist, continued

Odometer Disclosure Section (on a complying title)—If applicable, **must be** completed and signed with a handprinted name related to each signature.

NOTE: For non-complying titles, a Vehicle Vessel Transfer and Reassignment Form (REG 262) must be completed. Refer to Chapter 23 for odometer disclosure requirements.

Back of Title

New Registered Owner Section—Complete as follows:

- Print the true full name as it appears on the buyer's driver license or ID card **and** the driver license or ID card number (DL/ID#) for **each** new registered owner. If a California DL/ID has not been issued to an owner, show his/her out-of-state DL/ID# and write the state of issuance in the upper right corner of the top document.
- Check the "AND" or "OR" box if there is more than one buyer/owner. The certificates will be issued with "AND" if a box is not checked.
- Print or type the buyer's complete residence or business address **and** mailing address (if different). Include an apartment or space number if it is part of the address. **Do not** abbreviate street or city names.

NOTE: When a post office box **is** the residence or business address, but **is not** the mailing address, then both addresses must be shown. The post office delivers mail to the second address.

Mailing Address Only on Registration Documents—An owner/buyer may request that the registration and title be issued showing only his/her mailing address. This **does not** affect the information shown on the application. The owner **must complete both** of the following forms, which **must be** submitted with the transfer application:

- A Statement of Facts (REG 256) stating he/she wants only his/her mailing address to be shown on the title and registration documents being issued.
- A Change of Address (DMV 14) stating his/her residence or business address.

Leased Vehicles—The vehicle and the lessee's address must be in California.

- Print the lessor's name followed by the abbreviation "LSR" **and** the lessee's name(s) followed by the abbreviation "LSE."
- **Do not** join the lessor and lessee names with "and" or "or."
- Show the lessee's DL/ID# if the lessee is an individual.
- The lessor is the registered owner and must endorse/sign as such. The lessee's signature is optional.
- The lessee's address **must be** shown when it is different from that of the registered owner (lessor). Complete a Statement to Record Ownership (REG 101).

6.015 Basic Transfer Requirements Checklist, continued

- Have **each** owner sign (or signatures may be signed by power of attorney).
- Show the new owner's purchase price and purchase date.

New Legal Owner/Lienholder Section—Enter the name and address of the new legal owner/lienholder **or** the word “None,” as appropriate, and initial the entry. A rubber stamp (at least 12-point type) may be used to enter the lienholder name and address. The impression must be legible. Applications **without** an entry in this section are returned to the dealer.

NOTE: The name and address abbreviations for an Electronic Lien and Title (ELT) lienholder **must** be entered on the application **exactly** as shown in the latest ELT listing issued by the department. New listings are issued quarterly with a Vehicle Industry News (VIN) memo

Dealer or Lessor-Retailer Name—The dealer's or lessor-retailer's name, number, date of release/sale, and a countersignature are **required** on all retail and wholesale transactions. **All dealers must endorse in this section.**

Odometer Mileage Disclosure—**Must** be entered on a complying title. The buyer **must** handprint his/her name **and** sign acknowledging the odometer mileage reported.

NOTE: If a non-complying title is being submitted, the odometer mileage must be reported on a Vehicle Vessel Transfer and Reassignment Form (REG 262). Refer to Chapter 23 for additional information.

- The Report of Sale—Used Vehicle (REG 51).
- Any supporting documents needed, such as a power of attorney or bill of sale.
- A smog certification, if appropriate.
- Fees. Registration fees and penalties are due for vehicles **not** currently registered **unless** the registration expired after the vehicle entered dealer inventory.

NOTE: Documents Held by the Department—If a transfer application cannot be cleared because the Certificate of Title for another transaction has not been issued by the department:

- Deliver the application and the required fees to the department within 30 days of the date of sale to avoid an administrative service fee (ASF).
- Return all required documents for the transaction to the department within 30 days of the date certificates are issued by the department.

6.020 Multiple Transfers

A multiple transfer involves at least one unrecorded ownership change for which a transfer fee is currently due.

In addition to the basic transfer requirements listed in Section 6.015:

- The printed names of **all** buyers **must** appear on the Certificate of Title, but only the current buyer must sign the title.
- Any bills of sale necessary to establish the complete chain of ownership from the first buyer to the current buyer must be submitted.
- A Statement to Record Ownership (REG 101) clarifying the true registered and legal owner name(s) and address(es) must be submitted.

NOTE: The name and address abbreviations for an Electronic Lien and Title (ELT) lienholder **must** be entered on the application **exactly** as shown in the latest ELT listing issued by the department. New listings are issued quarterly with a Vehicle Industry News (VIN) memo

- A transfer fee is due for **each** buyer. Only the last transfer is subject to a late transfer penalty. A transfer fee **is not** due from a dealer unless the vehicle is being registered to the dealer.
- A smog certification is required for vehicles 29 model years old and newer.

NOTE: A smog certification issued to a dealer is valid for two years **or** until the vehicle is sold and registered to a retail purchaser, regardless of the number of transfers.

- Odometer mileage disclosure, if appropriate. Refer to Chapter 23 for odometer reporting requirements.

6.025 Transfer of Leased Vehicles

Leased vehicles **must be** registered in the names of both the lessor and the lessee, as explained in Section 6.015. **All** leased vehicle transfers **require** the lessor's release on Line 1 on the Certificate of Title, including repossessed vehicles. A smog certification **is** required if the person in possession of the vehicle changes (change of lessee only).

6.030 Transfer with Power of Attorney

A "power of attorney" is a written document whereby someone (the principal) conveys to another (the attorney-in-fact) the right to act on his/her behalf. A power of attorney must designate an attorney-in-fact, be signed by the principal, and describe the vehicle. The attorney-in-fact may be an individual or a business/company.

6.030 Transfer With Power of Attorney, continued

All of the following power of attorney forms are acceptable.

- The department's Power of Attorney (REG 262) which **is** limited to vehicle or vessel transactions only.
- A restricted power of attorney which **is** limited to a specific transaction, such as transfer of ownership, as shown on the empowering document.
- A general power of attorney which **is not** limited to any specific transaction.

NOTE: A general power of attorney does **not** require a vehicle description.

A power of attorney may be used to endorse for the buyer or the seller. The original power of attorney must be submitted with the application.

NOTE: A photocopy or FAX copy of a power of attorney *other* than the department's REG 262 is acceptable.

When a business/company is the attorney-in-fact, the endorsement must include the business/company name **and** a countersignature or initials of an authorized employee/representative. For example, *Joe Smith* by UOME Loan Company by *W. Mason* (or *W. M.* [initials only are acceptable]).

A power of attorney **cannot** be used:

- To sign a certification/statement of facts attesting to the knowledge of the principal. The exception is the title disposition certification on an Application for Duplicate Title (REG 227).
- To disclose odometer mileage.
- To reassign the right conveyed to the attorney-in-fact by the principal.
- By executors or administrators (of an estate) to appoint an attorney-in-fact.
- By a trustee to assign the duties of a trust to an attorney-in-fact.

6.035 Transfer on Application for Duplicate Title (REG 227)

A properly completed Application for Duplicate Title (REG 227) may be used to transfer ownership when the Certificate of Title issued by the department is lost, stolen, mutilated, or illegible, or was not received by the owner.

NOTE: A mutilated or illegible title must be submitted with the application.

In addition to the basic transfer requirements and fees:

- The REG 227 must be properly completed and endorsed for transfer (see **Check List** in this section).
- The odometer mileage disclosure, if appropriate, must be completed on a Vehicle/Vessel Transfer and Reassignment Form (REG 262).
- A duplicate title fee is due in addition to any other fees. The duplicate fee **is not** due if the title was not received **and** the department has the correct address.

6.035 Transfer on Application for Duplicate Title (REG 227), continued**Check List**—Use the following information to complete the REG 227:

Section	Information Required
Application for	Check the appropriate box.
Vehicle Description	Show all of the vehicle descriptive information.
Registered Owner of Record	Show the name(s) and address of the registered owner(s) shown on the department's records.
Lienholder of Record	Show the name and mailing address of the lienholder shown on the department's records.
Paperless Title Certification	Completed only for Electronic Lien and Title (ELT) lienholder transactions.
Missing Title Statement of Facts	Check the appropriate box. In most cases, the lienholder signs this certification, unless the title was lost, stolen, etc., after release by the legal owner of record, then the person in possession of the title at that time signs for the duplicate. NOTE: A mutilated or illegible title must be submitted with the application.
Release of Ownership by Registered Owner	The release signature(s) of the registered owner(s) and date of release are required. A bill of sale is acceptable in lieu of a release signature on the REG 227.
Legal Owner Release of Interest	The legal owner of record must release interest or a Lien Satisfied (REG 166) is required. NOTE: The signature of the legal owner on a REG 227 or REG 166 must be notarized.
Application for Transfer by New Owner	<ul style="list-style-type: none"> • Enter the new owner's name(s), address(es), purchase price, and purchase date. • Have the new owner(s) sign Line 8a and 8b, if two owners.
New Lienholder	Enter the new lienholder information or the word "None" if no lienholder and initial the entry. NOTE: Electronic Lien and Title (ELT) Program lienholders are assigned specific name and address abbreviations which must be entered on the application exactly as shown in the latest ELT listing issued by the department. New listings are issued quarterly with a Vehicle Industry News (VIN) memo.
Leased Vehicles	Must be completed for a leased vehicle when the lessee address is different than the registered owner address shown.
Vessel or Trailer Coach	If applicable, enter the address/location where the vessel or trailer coach is principally kept.

Section	Information Required
Dealer's Release	<p>The dealer must complete the odometer reading at the time of sale, the date of sale, the dealership name and number. In addition, the signature of the dealer or his agent, the printed name of the dealer or his agent, and the Report of Sale–Used Vehicle (REG 51) number must be entered.</p> <p>The buyer must print his/her name, date the form, and sign acknowledging the odometer reading.</p>

NOTE: Refer to Chapter 23 for odometer disclosure information.

6.040 Duplicate Title for Sales to Auto Auctions

Because some California auto auctions will **not** accept vehicles when the dealer's documentation includes a duplicate title application **or** a title with multiple owner reassignments, dealers may apply for titles on inventory vehicles held for sale to auto auctions. This procedure **cannot be** used under any other circumstances.

The requirements are:

- A properly endorsed Application for Duplicate Title (REG 227) **and** any other documents required for complete chain of ownership to your dealership.
 - Complete the “Dealer Only” **and** “New Registered Owner” sections on the REG 227 (**must** include the dealer name and number).
 - Complete a Statement to Record Ownership (REG 101) to clarify the dealer name and address information when there are multiple registered owners.
- A Statement of Facts (REG 256) indicating: “This inventory vehicle was transferred to us on the attached Application for Duplicate Title which reflects multiple registered owner transfers (or multiple dealer assignments) and will be resold to an auto auction.”
- Odometer mileage disclosure, if appropriate.
- The fees due.
- Use tax **is not** required. A smog certification **is not** required.

6.045 Transfer of Vehicles Issued a California (Goldenrod) Registration Only

When the California registration card contains the notation “This Vehicle Not Transferable,” the outstanding out-of-state (or previous California) title **must be** submitted before a new California Certificate of Title can be issued. The transfer requirements are:

- An Application for Registration or Title (REG 343) in the buyer’s name.
- The out-of-state or California title properly endorsed for transfer to the buyer.

NOTE: A bill of sale from the owner shown on the title is acceptable in lieu of the owner’s release on the title. A lien satisfied is acceptable in lieu of the legal owner/lienholder release on the title.

- Any bills of sale needed to establish a complete chain of ownership to the current buyer.
- The Report of Sale–Used Vehicle (REG 51).
- A smog certification, if appropriate.
- Odometer mileage disclosure, if appropriate.
- Fees.

6.050 Transfer or Sale to an Exempt Agency

For sales to exempt agencies, such as California state agencies or U.S. government agencies, submit an Application for Registration or Title (REG 343) in the exempt agency’s name in addition to the basic transfer requirements. Exempt agencies are exempt from all fees except fees for duplicate or substitute plates or documents.

Sale of Former Exempt Vehicle to a Non-Exempt Buyer—Submit full-year registration fees in addition to any other fees due. Exempt plates **must** be surrendered because regular series plates will be issued. Follow the procedures for a transfer.

6.055 Transfer of Repossessed California-Registered Vehicle (VC §5909)

The following are required in addition to the basic transfer requirements shown in Section 6.015 when a repossessed used vehicle is acquired and sold:

- Print “Repossession” on Line 1 of the Certificate of Title (in lieu of owner’s release).

EXCEPTION: The lessor’s release **is required** on the title to transfer a repossessed leased vehicle. The lessor is the registered owner of a leased vehicle and the vehicle returns to the lessor if the lessee defaults on payments.

- A Certificate of Repossession (REG 119) completed by the reposessor is required.

6.055 Transfer of Repossessed California-Registered Vehicle, continued

- Any renewal fees due on the repossessed vehicle **must be** paid to the department within 60 days of the repossession date to avoid the penalty due for late payment. (VC §9561) A Report of Deposit of Fees (RDF) fulfills this requirement.

NOTE: A repossession fee **is not** due for a leased vehicle repossessed by the lessor and subsequently leased to another lessee.

6.060 Transfer of Used Rollback Vehicles

When the used rollback vehicle is subsequently sold to a second buyer or registered in the dealer's name, submit the following:

- The California Certificate of Title endorsed by the first **and** second buyers.
- A Statement to Record Ownership (REG 101) completed to clarify the current owner information.

NOTE: The name and address abbreviations for an Electronic Lien and Title (ELT) lienholder **must** be entered on the application **exactly** as shown in the latest ELT listing issued by the department. New listings are issued quarterly with a Vehicle Industry News (VIN) memo.

- A Lien Satisfied (REG 166) from the legal owner/lienholder, if any, for the first buyer.

EXCEPTION: A REG 166 **is not** required if financing was **not** approved for the first sale **or** the legal owner for the second buyer is the same as for the first buyer. Dealers may complete a Statement of Facts (REG 256) or Statement of Error or Erasure (REG 101) for legal owner information entered on the REG 397 in error.

- A Statement of Facts (REG 256) which includes:
 - The name of the buyer who returned the vehicle **and** the date returned.
 - the reason the vehicle was returned (for example, credit unavailable).
 - If the vehicle was voluntarily returned by the buyer.
 - How the vehicle was sold (under conditional contract, chattel mortgage, etc.)
 - If a trade-in was returned to the buyer.
 - If a down payment was returned **and** whether it was a cash down payment or cash in addition to a trade-in.
- A bill of sale from the first buyer to the dealer.
- A Report of Sale–Used Vehicle (REG 51) to the first buyer **and** another REG 51 to the second buyer.
- Odometer mileage disclosure, if appropriate.
- A smog certification, if appropriate. A smog certification issued to a dealer is valid for two years **or** until the vehicle is sold and registered to a retail buyer.
- Two transfer fees and any other fees due.

6.065 Transfer Only

A “transfer only” is the transfer of a vehicle **not** currently registered without payment of registration fees. The vehicle record must reflect planned non-operational (PNO) status and the vehicle **cannot** have been operated or moved in a manner that would cause fees to become due. The requirements for “transfer only” are:

- The properly endorsed and completed Certificate of Title.
- A Transfer Only Statement (REG 256) signed by the buyer.
- A Certificate of Planned Non-Operation (REG 102) completed by the buyer.
- Odometer mileage disclosure, if appropriate.
- The original **and** operating copies of the Report of Sale–Used Vehicle (REG 51). The REG 51 must show how the vehicle was moved from the dealership. Print the One Trip Permit number used to move the vehicle **or** “Delivered on Dealer Plates” on the REG 51.
- The transfer fee.

6.070 Transfer Without Probate (VC §5910; Probate Code §§6401, 6402, 13050)

A Certificate for Transfer Without Probate (REG 5) may be used to transfer ownership of a vehicle **titled** in California when the registered owner or legal owner (an individual) is deceased **provided** 40 days have elapsed since the date of death of the owner **and** the value of the decedent’s property in California **does not** exceed \$100,000, excluding any vehicle, vessel, manufactured home, mobile home, commercial coach, or floating home.

A transfer without probate may be executed without procuring Letters of Administration, Letters Testamentary, or awaiting probate of a will by the surviving next of kin, the guardian or conservator of the estate of the next of kin, a trustee, under a trust agreement by the deceased, if the primary beneficiaries are the next of kin, or a sole beneficiary or all beneficiaries under the last will of the decedent.

The basic transfer clearance requirements apply **except**:

- A Certificate of Transfer Without Probate (REG 5) completed by the heir must be submitted with the application. A REG 5 **cannot** be signed by power of attorney.
- The heir **must** sign for the deceased owner on Line 1 of the Certificate of Title.

EXAMPLE: *Richard Roe by Cynthia Roe*

- A transfer fee is due for the heir and each subsequent owner/buyer.

NOTE: A transfer fee **cannot be** accepted prior to the 40-day period following the owner’s death. The department will accept deposit of renewal fees only to avoid a penalty when the registration will expire within the 40-day period.

6.075 Special Trust Transfers

A trust commits an individual's property or assets to a trustee for use or safekeeping.

Definitions of Terms

Trust—Any arrangement where property is transferred with an intention that it be held and administered by a trustee for the benefit of some third party or parties. The “trust” is the registered owner.

Trustor(s)—One who creates a trust. The person whose confidence creates a trust is called the trustor.

Settlor—This term is frequently used instead of “trustor.”

Trustee—Person appointed, or required by law, to execute a trust. The same person may be both a beneficiary and a trustee, but the sole beneficiary of a trust cannot be its sole trustee.

Co-trustees—Two or more persons who are intrusted with property for the benefit of one or more others.

Successor Trustee—A trustee who follows or succeeds an earlier trustee and who generally has all the powers of the earlier trustee.

Beneficiary—One for whose benefit a trust is created.

Registration or Transfer to a Trust—A transfer from an individual to that individual's trust is the same as other transfers. The names of the trust and trustee(s) must be shown on the Certificate of Title in the new registered owner section.

Examples: Jones Family Trust **or** John Jones Family Trust
John Jones, Trustee John M./Mary S. Jones, Trustees

- The endorsement John Jones Family Trust by *J. Jones* is acceptable for either of the above.
- Both trustees **do not** have to sign even when the names are joined by and (“/”).

NOTE: The trust documents **do not** have to be submitted with the application.

Transfer from a Trust—The release signature for a trust must contain the name of the trust and the countersignature of a trustee.

EXAMPLE: John Jones Family Trust by *Mary S. Jones*, Trustee

6.080 Transfer of Indian-Owned Vehicles

Transfer to a California Indian Tribe and/or Tribal Member—A vehicle owned or leased by a California Indian tribe **or** tribal members living on a federal Indian reservation or rancheria located in California and operated on public roads on or off the reservation or rancheria is exempt from the vehicle license fee (VLF) **only**.

The application must include an Indian Certification (REG 256A) completed and signed by a representative of the tribe or an official of the U.S. Government Bureau of Indian Affairs.

Transfer to a Federally-Recognized Indian Tribes (VC §9104.5 and R&TC §10781.1)—Vehicles registered to a federally-recognized Indian tribal name and used exclusively within the boundaries and jurisdiction of the tribe are exempt from all fees **except** the annual registration fee. The exemption must be established annually upon renewal. If renewal fees **are due**, then in addition to the usual transfer requirements, the application **must** include:

- A properly completed Indian Certification (REG 256A).
- or**
- A letter written on Indian tribal letterhead **and** signed by an authorized tribal counsel member such as the tribal chief or secretary. The letter must identify the vehicle **and** state it is owned by, and registered in, the federally-recognized Indian tribal name and that it will be used exclusively within the boundaries of Indian tribal land, including any incidental operation on the highways within those boundaries.
- and**
- The registration fee (in addition to the transfer fee).

Transfers Between Qualifying Indian Tribes/Tribal Members—A completed Indian Certification (REG 256A) from the new owner is required in addition to the usual transfer requirements.

Transfer from Indian-Owned to Other than Qualifying Indian—Prorated VLF from the month of transfer or date of first operation by the buyer to the end of registration year is due in addition to the usual transfer requirements and fees.

6.085 Transfer to/from Nonresident Military Personnel (NRM)

The vehicle license fee (VLF) portion of the registration fees **is not** due for a vehicle owned by a nonresident military (NRM) person when the vehicle and the duty station for the NRM owner are **in** California. A Nonresident Military Exemption Statement (REG 5045) completed by the NRM owner **must be** submitted with the transfer application.

6.085 Transfer to/from Nonresident Military Personnel (NRM), continued

Transfer from NRM to NRM—If ownership is being transferred from one NRM owner to another NRM owner, then a Nonresident Military Exemption Statement (REG 5045) completed by the NRM buyer **must be** submitted with the transfer application.

Transfer from NRM to Regular Registration—The usual transfer requirements apply **except** prorated vehicle license fees (VLF) from the date of transfer to the end of the registration year are due in addition to any other fees and must be submitted with the transfer application.

6.090 Attachment Sales (VC §5909)

For a constable, sheriff, marshal, or other attachment sale, attachment against the registered owner **does not** affect the interest of the legal owner/lienholder **and** attachment against the legal owner/lienholder **does not** affect the interest of the registered owner. The Certificate of Release (GSA Standard Form 97) attachment document disposes of both the registered and legal owners' equity. In addition to the basic transfer requirements:

- A vehicle verification is required unless there **is** a prior California vehicle record.
- If available, the California Certificate of Title or nonresident title endorsed/released by the legal owner/lienholder, if other than the judgment debtor.
- If evidence of mailing to the legal owner/lienholder is submitted **and** the legal owner/lienholder **has not** responded within 30 days, the application is acceptable without the legal owner/lienholder's release.
- The original or a certified copy of the Certificate of Sale issued by the attaching officer which contains the name and address of the purchaser, the vehicle make and VIN, the name of the creditor or defendant (this name must match the department's record), and the names of the plaintiff and the defendant.

6.095 Bankruptcy Sales (VC §5909)

In addition to the usual transfer requirements:

- A certified copy of the trustee's bond **or** the court order appointing a receiver **or** a court order confirming the sale of the vehicle must be submitted.
- The trustee or receiver **must** sign wherever the debtor's signature is required.
- The release signatures of owners other than the debtor **must be** obtained.

New Vehicles from a Bankrupt California Dealer—May be processed with:

- An Application for Registration of New Vehicle (REG 397) **or** the Manufacturer's Certificate of Origin or factory invoice (original or certified copy) issued or endorsed to the dealer.
- A bill of sale to the buyer.
- An Application for Title or Registration (REG 343) in the buyer's name.

6.100 Foreclosures or State Controller Sales (VC §5909)

In addition to the usual transfer requirements:

- A Certification of Foreclosure or Certificate of Sale from the Controller describing the vehicle by make and VIN **and** stating the requirements of the contract and law (notification, posting, and advertising) have been met **must be** submitted.
- A vehicle verification is required unless there **is** a prior California vehicle record.
- In lieu of registered owner's release on the title, show "Clearing VC §5909."

NOTE: If foreclosure was **not** by the legal owner/lienholder, the legal owner/lienholder must endorse the title **or** a Lien Satisfied (REG 166) is required.

6.105 Governmental Actions (VC §5909)

Government agencies acquire vehicles through court actions due to drug related offenses or because of delinquent taxes or other violations. An agency will sell those vehicles operated beyond the prescribed mileage and/or years which are no longer feasible to repair as "surplus" or "surveyed" vehicles. The other vehicles are sold by the agency at public auction.

If repairs to the vehicle exceed the vehicle value, a government agency may surrender the title, registration, and license plates to the DMV and obtain a junk receipt. (VC §24007.5[c])

NOTE: Junk receipts are not always issued when the certificates are mailed directly to Sacramento Headquarters.

These vehicles may be sold with the vehicle title, a junk receipt, a salvage certificate, a court order, or a declaration of forfeiture.

6.110 Court Orders—General Information (VC §5909)

Applications for a vehicle transferred pursuant to a court order must include the following in addition to the basic requirements for the transaction:

- A certified copy of the court order.
- A certification by the clerk of the court that no appeal has been made.

NOTE: Release by the registered owner of record **is not** required on the title. In lieu of registered owner's signature, show "Clearing VC §5909."

6.115 California Forfeited Vehicles (H&SC §§11488.4j and 11489)

The attorney general (AG) or the jurisdictional district attorney (DA) may sell vehicles seized by, or forfeited to, a California state or local agency. The registration requirements for vehicles forfeited in this manner are:

- Proof of ownership documentation based on the following:

<i>If forfeited under...</i>	<i>then the title documentation required is...</i>
H&SC §11470	the Certificate of Title for a California-registered vehicle or an Application for Title or Registration (REG 343) and the nonresident title, if available, for a nonresident vehicle.
H&SC §11488.4	
VC §14607.6	<ul style="list-style-type: none"> • the California Certificate of Title, if available. <p>NOTE: The written declaration of forfeiture signed by the jurisdictional DA shall provide good and sufficient title to the vehicle (with or without the title). (VC §14607.6e[3])</p> <ul style="list-style-type: none"> • the written declaration of forfeiture of the vehicle to the state signed by the jurisdictional DA and a REG 227 or REG 343, as appropriate.

- A vehicle verification **unless** there **is** a vehicle record on the department's database **or** the California Certificate of Title is submitted.
- A bill of sale from the selling agency **or** its agent to the buyer which:
 - shows the buyer's name(s) **and** the vehicle descriptive information.
 - is signed/countersigned by the selling agency **or** its agent.

NOTE: A DMV Bill of Sale (REG 262) may be used.

- The written declaration of forfeiture document from the AG or jurisdictional DA.
- Odometer mileage disclosure, if appropriate.
- A smog certification, if appropriate.
- A Report of Sale–Used Vehicle (REG 51).
- Fees. (Prior year fees/penalties originating prior to the date of sale to the registrant are **not** due on a vehicle forfeited to a California Agency under H&SC §§11470[h] and 11488[j]).

6.120 Federal Forfeiture Sales (VC §5909)

The registration requirements for vehicles are forfeited to government agencies for violation of federal laws are:

- The California Certificate of Title, if available, **or**
An Application for Title or Registration (REG 343) **and** the nonresident title, if available.
- In lieu of signatures on the title, the Certificate of Release (GSA Standard Form 97) which declares the vehicle U.S. government property, names the buyer(s), and describes the vehicle is acceptable. Any legal owner's interest is extinguished when the vehicle is sold through forfeiture.
- A vehicle verification **unless** a vehicle record exists on the department's database **or** the California Certificate of Title is submitted.
- Odometer mileage disclosure, if appropriate.
- A smog certification, if appropriate.
- Fees.

NOTE: Any fees and/or penalties which accrued prior to purchase of the vehicle by the new owner will be waived.

6.125 Internal Revenue Sales (VC §5909; IRS Code §6335)

The Internal Revenue Service may seize and sell a vehicle for delinquent taxes. The buyer of the vehicle acquires **only** the registered owner's interest. The legal owner of record, if any, retains legal ownership and **must be** shown on the new Certificate of Title unless all interest in the vehicle is released.

NOTE: If the IRS federal tax lien notice is filed **prior to** the perfection of a security interest by the legal owner/lienholder, the new title is issued to the buyer as sole owner of the vehicle.

Registration Requirements—The requirements for these vehicles are:

- The California Certificate of Title **or** an Application for Title or Registration (REG 343) and the nonresident title, if available, as appropriate.
- In lieu of signatures on the title, a Certificate of Sale of Seized Property signed by the collection officer that names the debtor and describes the vehicle.
- A vehicle verification **unless** there is a vehicle record on the database **or** the California Certificate of Title is submitted.
- Odometer mileage disclosure, if appropriate.
- A smog certification, if appropriate.
- The Report of Sale—Used Vehicle (REG 51).
- Fees.

6.130 United States Customs Sales (VC §5909)

The United States (U.S.) Customs Office may seize and sell vehicles for federal violations. The registration requirements for these vehicles are:

- The California Certificate of Title **or** an Application for Title or Registration (REG 343) and the nonresident title, if available, **or** a Certificate of Release (GSA Standard Form 97), as appropriate.
- In lieu of signatures on the title, a bill and/or receipt from the U.S. Customs Office signed by the Cashier of Customs with the buyer's name(s) and the vehicle description.
- A vehicle verification **unless** there is a vehicle record on the DMV database **or** the California Certificate of Title is submitted.
- Odometer mileage disclosure, if appropriate.
- A smog certification, if appropriate.
- The Report of Sale–Used Vehicle (REG 51).
- Fees.

6.135 Military Sales

Under the provisions of U.S. Public Law 39, vehicles abandoned on U.S. government property are sold by U.S. government agencies, principally military bases. The registration requirements for these vehicles are:

- The California Certificate of Title **or** an Application for Title or Registration (REG 343), as appropriate.
- Evidence of notice regarding sale of vehicle from a government agency to the last owners of record. The notice should describe the vehicle, name the owners, and state that the owners were notified.
- In lieu of signatures on the title, a bill of sale or the Certificate of Sale by U.S. government agency.
- A vehicle verification **unless** there is a vehicle record on the DMV database **or** the California Certificate of Title is submitted.
- Odometer mileage disclosure, if appropriate.
- A smog certification, if appropriate.
- The Report of Sale–Used Vehicle (REG 51).
- Fees.

6.140 Welfare and Institutions Code Sales

The *California Welfare and Institutions Code* contains a provision for disposing of certain properties of inmates of institutions. The registration requirements for vehicles disposed of under this provision are:

- The California Certificate of Title **or** an Application for Title or Registration (REG 343), as appropriate.
- In lieu of the registered owner's signature(s) on the title, an affidavit giving authority for the sale which contains a description of the property sold, the name of the buyer, and a statement indicating compliance with the provisions of the W&IC concerning notices.
- Release by any legal owner/lienholder on the Certificate of Title **or** evidence that the lien has been satisfied. A DMV Lien Satisfied (REG 166) may be used.
- A vehicle verification **unless** there is a vehicle record on the DMV database **or** the California Certificate of Title is submitted.
- Odometer mileage disclosure, if appropriate.
- A smog certification, if appropriate.
- The Report of Sale–Used Vehicle (REG 51).
- Fees.

6.145 Certificate of Non-Operation

Use of the Certificate of Non-Operation (REG 102) is limited by statute. Refer to Section 31.080 for information.

6.150 72-Hour Processing Requests

A request for issuance of the Certificate of Title within 72 hours (three working days, excluding Saturdays, Sundays, and state holidays) is available **only** through DMV Sacramento Headquarters. A nonrefundable fee (refer to the Fees appendix, Appendix 1F, for fees) is charged for this service in addition to all other fees due.

Requests for 72-hour processing **cannot** include an Application for Duplicate Title (except ELT transactions) and **cannot** be submitted to a DMV field office.

Applications and fees **must be mailed** to:

Department of Motor Vehicles
72-Hour Special Processing MS D238
2415 First Avenue
Sacramento, CA 95818

NOTE: Incomplete applications are returned to the requester and are not placed in the accelerated process until DMV receives the completed application.

Cross-Reference: Section 1.125

